

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AIRGAS-EAST, INC.,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	No. 5:08-cv-318
	:	
GT & S, INC., <u>et al.</u> ,	:	
Defendants.	:	
	:	

**ORDER**

**AND NOW**, this 22<sup>nd</sup> day of January, 2010, upon consideration of Defendant, LVH's, Motion for Summary Judgment (doc. no. 49), Plaintiff's response in opposition (doc. no. 51), Defendant's reply (doc. no. 66), Plaintiff's Motion for Partial Summary Judgment (doc. no. 50), Defendant's response in opposition (doc. no. 56), and for the reasons stated in the accompanying Memorandum, it is **ORDERED** that Plaintiff's motion (doc. no. 50) is **GRANTED** and Defendant's motion (doc. no. 49) is **DENIED**.

**BY THE COURT:**

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.